

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
SW/S Kent Road, 130 ft. NW *
of c/l Galena Road * ZONING COMMISSIONER
1458 Kent Road *
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District *
Legal Owner: F. Hilker, et ux * Case No. 96-264-A
Contract Purchaser: James Grace
Petitioner
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1458 Kent Road, not far from Back River in eastern Baltimore County. The Petition is filed by Frederick Hilker and Evelyn Hilker, his wife, property owners, and James Grace, Contract Purchaser. Variance relief is requested from Section 1B02.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 50 ft. lot width, in lieu of the required 55 ft., for a single family dwelling. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was James Grace, Contract Purchaser. Also present was Thomas E. Phelps, the Registered Property Line Surveyor who prepared the site plan. There were no Protestants or any interested persons present.

Testimony and evidence presented was that the subject property lies within an older subdivision in eastern Baltimore County, not far from Back River. The property is presently owned by Frederick and Evelyn Hilker but under contract of sale to James Grace. In addition to the subject lot, Mr. and Mrs. Hilker own and reside on an adjacent lot. As is the case with many older subdivisions of Baltimore County, the lots in this community were laid out in 50 ft. widths. The subject is approximately 10,000 sq. ft. in area, zoned D.R.5.5. Although the property is only 55 ft. wide, it is 200 ft. deep.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

The Petitioner proposes constructing a single family dwelling on the lot. As shown on the site plan, the dwelling will conform to all zoning regulations, but for the width requirement. That is, the required front, side and rear yard setbacks will be maintained.

The Petitioner presented a series of photographs of other houses in the community (Petitioner's Exhibit Nos. 2A through 2E). These photographs corroborated the testimony offered that a majority of the houses in the vicinity are situated on 50 ft. lots. Thus, the proposed house and utilization of the subject lot will be consistent with other houses and properties in the immediate vicinity.

The case file also indicates that the Petitioner has submitted elevation drawings of the proposed dwelling to the Office of Planning. These drawings would be required by law if the Petitioner was proceeding for approval of the development of an undersized lot, pursuant to Section 304 of the BCZR. The elevation drawings and style of the house has been approved by the Office of Planning. In that this case is proceeding by variance, pursuant to Section 307, the Office of Planning's approval is not technically required, however, their comments will be incorporated herein to assure compatibility with the existing community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (BCZR) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

ORDER RECEIVED - ON FILE
Date 2/22/96
By [Signature]

In addition to the recommendations of the Office of Planning, as related to the proposed dwelling set forth hereinabove, I shall also incorporate as conditions, precedent to the relief, a restriction that the Petitioner comply with the Zoning Plans Advisory Committee (ZAC) comments which have been issued. Relevant comments have been issued by the Department of Environmental Protection and Resource Management (DEPRM) and the Development Plans Review Division. These comments mainly spring from the fact that the property is within the critical bay area in view of its location proximate to Muddy Gut Creek and Back River.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of February, 1996 that a variance from Section 1B02.3 of the Baltimore County Zoning Regulations (BCZR) to allow a 50 ft. lot width, in lieu of the required 55 ft., for a single family dwelling, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, DEPRM dated January 29, 1996, and Development Plans Review Division, dated January 26, 1996, are adopted in their entirety and made a part of this Order.

3. The proposed dwelling shall be substantially similar in style and appearance to the elevation drawings approved by the Office of Planning in this matter.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

2/22/96
M. Howard

WICKS RECD

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 21, 1996

Mr. James Grace
2527 Barrison Point Road
Baltimore, Maryland 21221

RE: Case No. 96-264-A
Petition for Zoning Variance
Property: 1458 Kent Road

Dear Mr. Grace:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. Thomas E. Phelps, 945 Barron Avenue, 21221
c: Ms. Andrea Coscia, 1457 Kent Road, Balto. Md. 21221

MICROFILMED



CRITICAL
AREA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

96-264-A

1458 Kent Road Baltimore MD

which is presently zoned

DR5.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3 To allow for a 50' lot width in lieu of the required 55' lot width. (under size lot)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The original lots in this subdivision were only 50' and the owner prchased two lots, one to build on and one to sell at a future date which is now.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

James Grace

(Type or Print Name)

Signature

2527 Barrison Pt. Rd.

Address

Baltimore, MD 21221

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s)

Fredrick ~~XXXXXX~~ Hilker

(Type or Print Name)

Signature

Evelyn Hilker

(Type or Print Name)

Signature

1456 Kent Road (410) 687 8414

Address

Phone No

Baltimore, MD

21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Thomas Phelps

Name

945 Barron Ave (410) 574 6744

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

1-5-96



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

264

Item # 264

Zoning Description

1458 Kent Rd.

96-264-A

Beginning at a point on the SW side of Kent Rd, 130 ft ± NW of the centerline of Balena Rd. Thence running NW 50 ft. thence SW 200 ft. thence NE 50 ft. thence NE 200 ft. to the point of beginning. Containing 10,000 sq. ft. & located in the 15th Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15

Date of Posting 1/29/96

Posted for: Variance

Petitioner: Frederick Hilker and Evelyn Hilker - James Grace

Location of property: 1458 Kent Road

Location of Sign: Sign at house along road

Remarks:

Posted by Frederick Hilker Date of return: 2/1/96

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioners of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #87-284-A
(Item 254)

1458 Keak Road,
SWS/Kear Road, 130' NW of

of Calera Road
15th Election District

5th Councilmanic

Legal Owner(s):

Frederick Hilker and Evelyn
Hilker

Contract Purchaser:

James Grace

Variance: to allow for a 50
foot lot width in lieu of the re-

quired 55 foot lot width (un-

densified lot).

Hearing: Wednesday, Febru-

ary 14, 1996 at 10:00 a.m. in

Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible; for

special accommodations

Please Call 887-3353.

(2) For information concern-

ing the file and/or hearing,

Please Call 887-3391.

1/20/96 Jan 25.

CZ/SL4

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/25, 1996.

THE JEFFERSONIAN,

A. H. Williams
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 171000

DATE 1-5-96

ACCOUNT R-001-6150

96-264-A

AMOUNT \$ 85.00

RECEIVED
FROM:

Tom Phelps

#016 - Residential Variance Filing Fee - \$50.00
#080 - Sign & Posting - \$35.00

FOR:

owner: F Hiker / Contr
Purchased 14158 Kent Rd
Site: 14158 Kent Rd

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 264

Petitioner: THOMAS PHELPS

Location: 945 BARRON AVE BALT MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JAMES GRACE

ADDRESS: 2597 BARRISON PT RD

BACT. MD. 21221

PHONE NUMBER: (410) 391 0179

AJ:ggs

MICROFILMED

(Revised 04/09/93)



TO: PUTUMENT PUBLISHING COMPANY
January 25, 1996 Issue - Jeffersonian

Please forward billing to:

James Grace
2527 Barrison Point Road
Baltimore, MD 21221
391-0179

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-264-A (Item 264)
1458 Kent Road
SW/S Kent Road, 130' NW of c/l Galena Road
15th Election District - 5th Councilmanic
Legal Owner: Fredrick Hilker and Evelyn Hilker
Contract Purchaser: James Grace

Variance to allow for a 50 foot lot width in lieu of the required 55 foot lot width (undersized lot).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 7, 1996

James Grace
2527 Barrison Pt. Road
Baltimore, MD 21221

RE: Item No.: 264
Case No.: 96-264-A
Petitioner: Fredrick Hilker

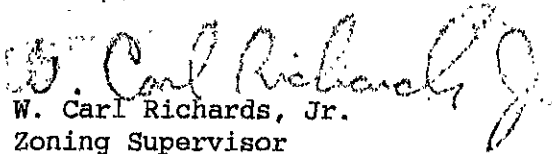
Dear Mr. Grace:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for January 22, 1996
Item No. 264

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor of residential development.

RWB:sw

MICROFILM

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
January 29, 1996

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #264 - Hilker Property
1456 Kent Road
Zoning Advisory Committee Meeting of January 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

JLP:TI:sp

HILKER/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: January 18, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 255, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Cary L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257,
258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 264 (JJS)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#254 --- JRA

1. No address, zip code, or telephone number on petition form for legal owner.

#255 --- MJK

1. Bottom of petition form states conditional approval was given - Where is it?

#259 --- MJK

1. No telephone number on petition forms for legal owner.
2. No signature for attorney on variance petition.

#262 --- JJS

1. No authorization for person signing for legal owner.
2. No hardship or practical difficulty listed on petition form.

#264 --- JJS

1. Where is undersized lot information?

#265 --- CAM

1. No signature for legal owner on variance petition.
2. No telephone number for legal owner on petition forms.
3. No signature for attorney on variance petition.
4. No review information completed on bottom of variance petition.

RE: PETITION FOR VARIANCE
1458 Kent Road, SW/S Kent Road, 130'
NW of c/l Galena Road, 15th Election
District, 5th Councilmanic

Legal Owners: Fredrick & Evelyn Hilker
Contract Purchaser: James Grace
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-264-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas Phelps, 945 Barron Avenue, Baltimore, MD 21221, representative for Petitioners.



PETER MAX ZIMMERMAN

SCHEDULE DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by J. Sullivan on 1-5-96
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 1-15-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 1-30-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 2-4-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

* VARIANCE = Item
#264 1-5-96.
B-257345
Permit Number

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Jim Grace 2527 Barrison Pt. Rd. (410) 391 0179
Print Name of Applicant Address Telephone Number

☐ Lot Address 1458 Kent Road Election District 15 Council District 19 Square Feet 10,000
Lot Location: N E S W / side / corner of Kent Rd. 100 feet from N E S W corner of Galena Rd.
(street) (street)

Land Owner Fredrick & Evelyn Hilker Tax Account Number 22 00 024458
Address 1456 Kent Road Telephone Number (410) 687 8414
Baltimore, Md., 21221

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>X</u>	___
2. Permit Application	<u>X</u>	___
3. Site Plan	<u>X</u>	___
Property (3 copies)	<u>X</u>	___
Topo Map (available in Rm 206 C.O.B.) (2 copies)	<u>X</u>	___
(please label site clearly)	<u>X</u>	___
4. Building Elevation Drawings	<u>X</u>	___
5. Photographs (please label all photos clearly)	<u>X</u>	___
Adjoining Buildings	<u>X</u>	___
Surrounding Neighborhood	<u>X</u>	___

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by ZAOM

Date _____

X NOT today, will submit -

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: Francis Morsey
for the Director, Office of Planning & Community Conservation

Date: 1/29/96

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

* VARIANCE = Item
264 1-5-96
B - 257345
Permit Number

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

Pursuant to Section 304 2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ **Jim Grace** 2527 Barrison Pt. Rd. (410) 391 0179
Print Name of Applicant Address Telephone Number

☐ Lot Address **1458 Kent Road** Election District **15** Council District **19** Square Feet **10,000**

Lot Location: N E S W / side / corner of **Kent Rd.** **100** feet from N E S W corner of **Galena Rd.**
(street) (street)

Land Owner **Fredrick & Evelyn Hilker** Tax Account Number **22 00 024458**

Address **1456 Kent Road** Telephone Number **(410) 687 8414**
Baltimore, Md., 21221

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>X</u>	___
2. Permit Application	<u>X</u>	___
3. Site Plan	<u>X</u>	___
Property (3 copies)	<u>X</u>	___
Topo Map (available in Rm 204 C.O.B.) (2 copies)	<u>X</u>	___
(please label site clearly)	<u>X</u>	___
4. Building Elevation Drawings	<u>X</u>	___
5. Photographs (please label all photos clearly)	<u>X</u>	___
Adjoining Buildings	<u>X</u>	___
Surrounding Neighborhood	<u>X</u>	___

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by _____
ZADM

Date _____

X NOT today, will submit.

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ **Approval conditioned on required modifications of the permit to conform with the following recommendations:**

MICROFILMED

Signed by: Francis Morley
for the Director, Office of Planning & Community Conservation

Date: 1/29/96

SCHEDULE DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by _____ on _____
Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE 1-15-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 1-30-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 2-4-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

22-00-034458

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

22 Dec 95

10-31-95

OEA: KNA/14/125
HISTORIC DISTRICT/BLDG.

PERMIT #: B257345
RECEIPT #: A286250
CONTROL #: NR
XREF #:

PROPERTY ADDRESS 1458 KENT RD
BALTIMORE, MD 21221
SUBDIV: HYDE PARK
TAX ACCOUNT #: 15-04-000000
OWNER'S INFORMATION (LAST, FIRST)
NAME: J. GRACE & CO INC
ADDR: 2527 BARRISON PT. RD. BALTO. 21221

DISTRICT/PRECINCT
15 E2919

FEE: 100.45
PAID: 105.
PAID BY: App'l
INSPECTOR:

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT, AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

BUILDING 1 or 2 FAM.

CODE CODE
BOCA CODE ☒

TYPE OF IMPROVEMENT

- ☒ NEW BLDG CONST
- ☐ ADDITION
- ☐ ALTERATION
- ☐ REPAIR
- ☐ WRECKING
- ☐ MOVING
- ☐ OTHER

TYPE OF USE

RESIDENTIAL

- ☒ ONE FAMILY
- ☐ TWO FAMILY
- ☐ THREE AND FOUR FAMILY
- ☐ FIVE OR MORE FAMILY
(ENTER NO UNITS)
- ☐ SWIMMING POOL
- ☐ GARAGE
- ☐ OTHER

TYPE FOUNDATION

- ☐ SLAB
- ☒ BLOCK
- ☐ CONCRETE

BASEMENT

- ☒ FULL
- ☐ PARTIAL
- ☐ NONE

TYPE OF CONSTRUCTION

- ☐ MASONRY
- ☒ WOOD FRAME
- ☐ STRUCTURE STEEL
- ☐ REINF. CONCRETE

TYPE OF HEATING FUEL

- ☐ GAS
- ☐ OIL
- ☒ ELECTRICITY
- ☐ COAL

TYPE OF SEWAGE DISPOSAL

- ☒ PUBLIC SEWER ☒ EXISTS ☐ PROPOSED
- ☐ PRIVATE SYSTEM ☐ EXISTS ☐ PROPOSED
- ☐ SEPTIC ☐ EXISTS ☐ PROPOSED
- ☐ PRIVY ☐ EXISTS ☐ PROPOSED

CENTRAL AIR: 1. ☒ 2. ☐
ESTIMATED COST: \$30,000
OF MATERIALS AND LABOR

PROPOSED USE:

EXISTING USE: VACANT

OWNERSHIP

- ☒ PRIVATELY OWNED
- ☐ PUBLICLY OWNED
- ☐ SALE
- ☐ RENTAL

RESIDENTIAL CATEGORY:

- ☒ DETACHED
- ☐ SEMI-DET.
- ☐ GROUP
- ☐ TOWNHSE
- ☐ MIDRISE
- ☐ HIRISE

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS

1 FAMILY BEDROOMS 3

GARBAGE DISPOSAL 1 Y 2. ☒ N

POWDER ROOMS 0

BATHROOMS 1

KITCHENS 1

CLASS 04

LIBER 3883

FOLIO 0319-

09 59
APPROVAL SIGNATURES

DATE

BUILDING SIZE LOT SIZE AND SETBACKS

FLOOR 1.940 SIZE 50' x 200'

WIDTH 40' FRONT STREET

DEPTH 40' SIDE STREET

HEIGHT 15' 23.9" FRONT SETBK 40'

STORIES 1 + 1.5 SIDE SETBK 14' 10"

LOT # 3 SIDE STR SETBK

CORNER LOT REAR SETBK 122'

1. ☐ Y 2. ☒ N ZONING DR 5.5 K

BLD INSP :

BLD PLAN: 1:120

FIRE :

SEDI CTL: 416NCG

ZONING: 111.1.1

PUB SERV: 111.1.1

ENVRMNT: 416NCG

PERMITS: 123

DATE: 12/22/95

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND -- NO PERMIT FEES REFUNDED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

February 22, 1996

(410) 887-4386

Mrs. Andrea R. Coscia
1457 Kent Road
Baltimore, Maryland 21221

RE: Petition for Variance
Case No. 96-264-A
Property: 1458 Kent Road

Dear Mrs. Coscia:

This is to acknowledge your letter of February 14, 1996 regarding the above matter. For your reference I have enclosed a copy of the opinion and Order issued in this case. Please note that I granted the zoning variance requested, subject to several restrictions.

Among the restrictions attached to the grant of this relief is a requirement that the Petitioner comply with the Zoning Plans Advisory Committee comment forwarded to me from the Department of Environmental Protection and Resource Management (DEPRM). In every zoning case, this one included, DEPRM submits a written recommendation for my consideration. In this case, DEPRM indicated that the property was subject to the Chesapeake Bay Critical Area regulations and that all development on the site must conform to those regulations. By attaching that condition as a restriction, I will require the property owner to comply with these regulations and work with DEPRM to ensure no adverse environmental effect.

I regret that you were unable to appear at the hearing to voice your concerns. If you have any questions regarding this matter, please contact me.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

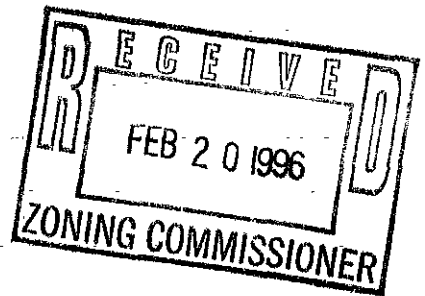
LES:mmn
encl.

RECORDED



February 14, 1996

Mr. Laurence Schmidt
Zoning Commissioner
Rm. 1112 - Old Courthouse
400 Washington Avenue
Lawson, Md 21204



re: Case # 96-264.A 1458 Kent Rd, Balto. Md. 21221

Dear Mr. Schmidt,

Unfortunately, due to car trouble, I was unable to attend the hearing scheduled for today with reference to the above case.

I am interested in this case because I live across the street from said property. My current concerns are "runoff" from rain, snow, etc. and what impact that will have. Since we are located in the "Chesapeake Bay Critical Area" I am aware that there are certain restrictions with regard to new dwellings or buildings to be erected. The "unimproved" lot adjacent to myself (1457 Kent) is listed as "non-buildable" as it acts as the natural run-off site. We currently, during heavy rains and snowfall, get a foot of water through there. My main concern is that the guidelines in the "critical" area will be adhered to, such as penetration of water into ground.

Thank you for your considerations in this matter and would appreciate receiving a copy of order when a decision is reached.

Sincerely,

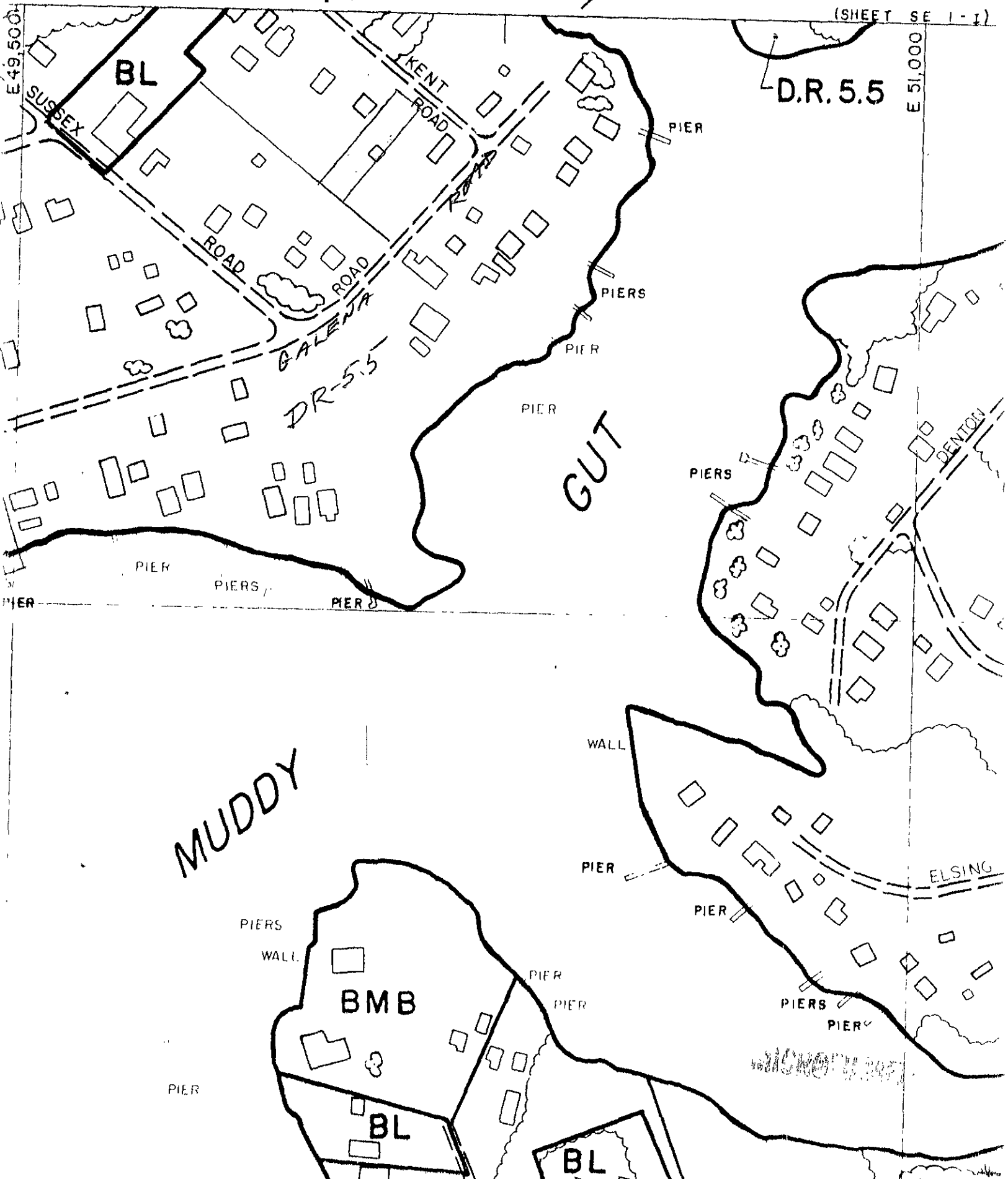
Mrs. Andrea R. Coscia
1457 Kent Rd.
Balto. Md 21221
(410-682-6260)

96-264-A

264

ZONING MAP
SCALE 1"=200'
MAP # SE. 21

(SHEET SE 1-1)





ACROSS KENT ROAD

Ref 2A



ACROSS STREET

Ref 2B



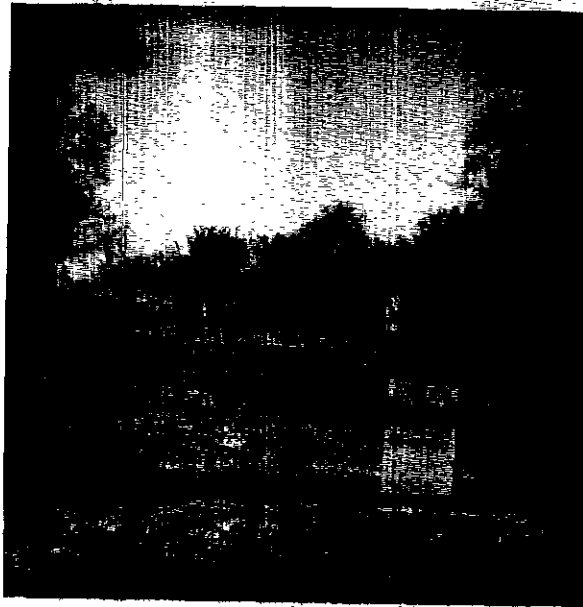
LOOKING NORTHEAST
FROM PROPERTY

Ref 2D



LOOKING NORTHWEST
FROM PROPERTY

Ref 2C



BLOOD SITE

10/20



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For these petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 264

Petitioner: James Grace

Location: 1455 Kent Ave. Balt. MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JAMES GRACE

ADDRESS: 2527 Barrison Pt. Rd.

BALT. MD. 21221

PHONE NUMBER: (410) 391-0179

AJ:ggs

(Revised 04/09/93)



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on Recycled Paper

TO: PUYOENT PUBLISHING COMPANY
January 25, 1996 Issue - Jeffersonian

Please forward billing to:

James Grace
2527 Barrison Point Road
Baltimore, MD 21221
391-0179

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-264-A (Item 264)
1455 Kent Road
SW/S Kent Road, 130' NW of c/l Galena Road
15th Election District - 5th Councilmanic
Legal Owner: Fredrick Hilker and Evelyn Hilker
Contract Purchaser: James Grace

Variance to allow for a 50 foot lot width in lieu of the required 55 foot lot width (undersized lot).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-264-A (Item 264)
1455 Kent Road
SW/S Kent Road, 130' NW of c/l Galena Road
15th Election District - 5th Councilmanic
Legal Owner: Fredrick Hilker and Evelyn Hilker
Contract Purchaser: James Grace

Variance to allow for a 50 foot lot width in lieu of the required 55 foot lot width (undersized lot).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Fredrick and Evelyn Hilker
James Grace
Thomas Phelps

NOTES: (1) ZONING SIGN AND POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



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Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 7, 1996

James Grace
2527 Barrison Pt. Road
Baltimore, MD 21221

RE: Item No.: 264
Case No.: 96-264-A
Petitioner: Fredrick Hilker

Dear Mr. Grace:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for January 22, 1996
Item No. 264

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor of residential development.

RWB:GW

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director DATE: January 29, 1996
Zoning Administration and Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #264 - Hilker Property
1455 Kent Road
Zoning Advisory Committee Meeting of January 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

JLP:TI:sp
HILKER/DEPRM/TXTSPB

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 18, 1996
Permits and Development Management

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 255, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long
Division Chief: Carol L. Kears

PK/JL

ITEM254/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: PROPERTY OWNER: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

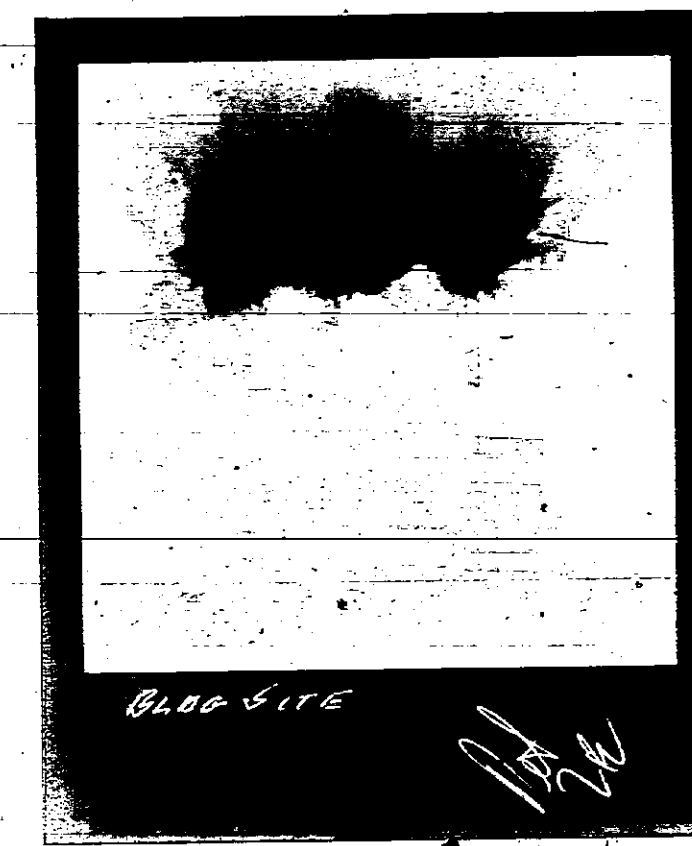
B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257, 258, 259, 260, 261, 263 AND 264.

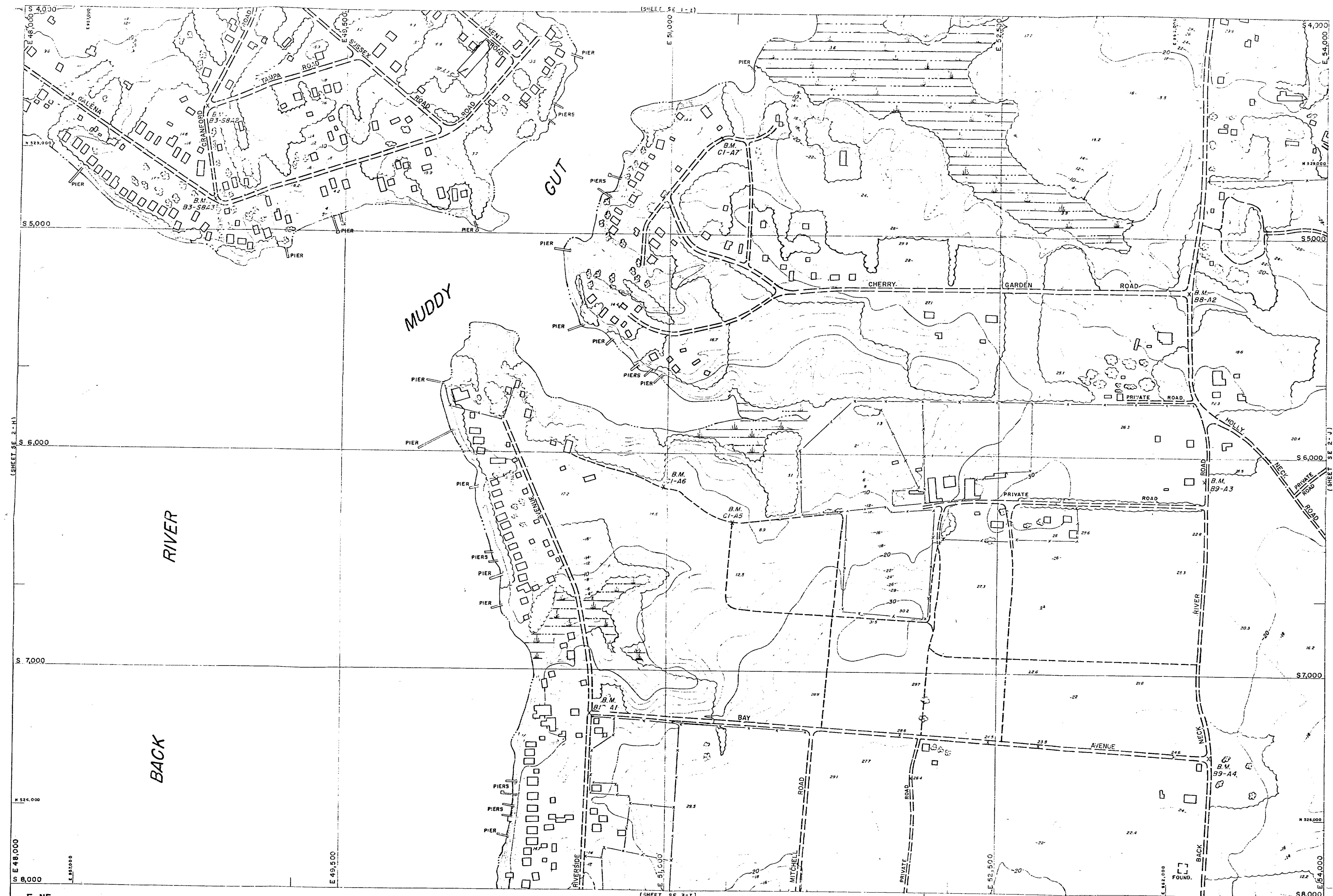
REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE 1" = 200'	LOCATION BACK RIVER NECK	SHEET S E. 2-1
BY	DATE			
	ABR 1/25/54	DATE OF PHOTOGRAPHY DEC. 1954		
Topography Compiled By Photogrammetric Methods ABRAMS AERIAL SURVEY CORP. LANSING MICH.				